IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8649 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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DHUNDASING L ARORA,SINCE DECEASED THROUGH HEIRS & L.R.

Versus

O S D & COMPETENT AUTHORITY

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Appearance:

MR NAVIN PAHWA of M/S THAKKAR ASSOC. for Petitioners

MR BK TRIVEDI for Respondent No. 1 - Absent

MR MG NAGARKAR for Respondent No. 2

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CORAM : MR.JUSTICE R.K.ABICHANDANI

Date of decision: 29/09/2000

ORAL JUDGEMENT

When this matter is called out for hearing, the learned Counsel for the petitioner states that the Corporation has taken a decision in favour of similarly situated persons and the heirs and legal representatives

of the petitioner therefore would like to approach the Corporation in the matter for a similar treatment of allotting a portion of land which was leased, as was done in other cases. It is stated that about 400 similarly situated persons who were leased lands by the Corporation and who had also lost in the eviction proceedings under the Gujarat Public Premises (Eviction of Unauthorised Occupants) Act, 1972 have been allotted a part of the plots leased to them by the Corporation. Therefore, the petitioner's heirs and legal representatives will make an application for such purpose within four weeks from today. The learned Counsel for the Corporation on instructions from the officers of the Corporation who are present in the Court, states that if such application is made the Corporation shall take appropriate decision in the matter in accordance with law ensuring that there is no discrimination, within four weeks after the application is received. In view of this arrangement, the learned Counsel for the petitioners states that the petitioners do not press for this petition at this stage. The petition stands disposed of accordingly. In view of this arrangement, rule is discharged with no order as to costs. Interim relief stands vacated. It is however made clear that until the application that may be made is decided, the status-quo prevailing today will not be disturbed.

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*/Mohandas